

1-1 By: Taylor of Collin S.B. No. 1504
 1-2 (In the Senate - Filed March 8, 2017; March 20, 2017, read
 1-3 first time and referred to Committee on Criminal Justice;
 1-4 April 18, 2017, reported favorably by the following vote: Yeas 6,
 1-5 Nays 0; April 18, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10			X	
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			
1-16			X	

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the eligibility of certain victims of trafficking of
 1-20 persons for an order of nondisclosure.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Sections [411.0728](#)(a), (c), and (d), Government
 1-23 Code, are amended to read as follows:

1-24 (a) This section applies only to a person:

1-25 (1) who ~~[on conviction for an offense under Section~~
 1-26 ~~[43.02](#), Penal Code,] is placed on community supervision under~~
 1-27 ~~Chapter [42A](#) [Article [42.12](#)], Code of Criminal Procedure, after~~
 1-28 ~~conviction for an offense under:~~

1-29 (A) Section [481.120](#), Health and Safety Code, if
 1-30 the offense is punishable under Subsection (b)(1);

1-31 (B) Section [481.121](#), Health and Safety Code, if
 1-32 the offense is punishable under Subsection (b)(1);

1-33 (C) Section [31.03](#), Penal Code, if the offense is
 1-34 punishable under Subsection (e)(1) or (2);

1-35 (D) Section [43.02](#), Penal Code; or

1-36 (E) Section [43.03](#)(a)(2), Penal Code, if the
 1-37 offense is punishable as a Class A misdemeanor; [7] and

1-38 (2) with respect to whom the conviction is
 1-39 subsequently set aside by the court under Article [42A.701](#), Code of
 1-40 Criminal Procedure [Section 20(a) of that article].

1-41 (c) After notice to the state, an opportunity for a hearing,
 1-42 and a determination by the court that the person committed the
 1-43 offense solely as a victim of trafficking of persons and that
 1-44 issuance of the order is in the best interest of justice, the court
 1-45 shall issue an order prohibiting criminal justice agencies from
 1-46 disclosing to the public criminal history record information
 1-47 related to the offense for which the defendant was placed on
 1-48 community supervision as described by Subsection (a) [under Section
 1-49 [43.02](#), Penal Code, giving rise to the community supervision].

1-50 (d) A person may petition the court that placed the person
 1-51 on community supervision for an order of nondisclosure of criminal
 1-52 history record information under this section only after the
 1-53 person's conviction ~~[under Section [43.02](#), Penal Code,] is set aside~~
 1-54 as described by Subsection (a).

1-55 SECTION 2. The change in law made by this Act applies to a
 1-56 person whose conviction for an offense is set aside under Article
 1-57 [42A.701](#), Code of Criminal Procedure, on or after the effective date
 1-58 of this Act, regardless of when the person committed the offense for
 1-59 which the person was convicted.

1-60 SECTION 3. To the extent of any conflict, this Act prevails
 1-61 over another Act of the 85th Legislature, Regular Session, 2017,

2-1 relating to nonsubstantive additions to and corrections in enacted
2-2 codes.

2-3 SECTION 4. This Act takes effect September 1, 2017.

2-4 * * * * *